

DEPARTMENT OF EDUCATION
SPECIAL EDUCATION PROGRAMS
Oelrichs School District
Accountability Review - Monitoring Report 2012-2013

Team Members: Donna Huber, Team Leader; Chris Sargent, Educational Specialist and Dave Halverson, Transition Liaison

Dates of On Site Visit: October 1, 2012

Date of Report: October 24, 2012

All non-compliance must be corrected within 1 year of this report date.

Date Closed:

Program monitoring and evaluation.

In conjunction with its general supervisory responsibility under the Individuals with Disabilities Education Act, Part B, Special Education Programs (SEP) of the Division of Educational Services and Support shall monitor agencies, institutions, and organizations responsible for carrying out special education programs in the state, including any obligations imposed on those agencies, institutions, and organizations. The department shall ensure:

- (1) That the requirements of this article are carried out;
- (2) That each educational program for children with disabilities administered within the state, including each program administered by any other state or local agency, but not including elementary schools and secondary schools for Native American children operated or funded by the Secretary of the Interior:
 - (a) Is under the general supervision of the persons responsible for educational programs for children with disabilities in the department; and
 - (b) Meets the educational standards of the state education agency, including the requirements of this article; and
- (3) In carrying out this article with respect to homeless children, the requirements of the McKinney-Vento Homeless Assistance Act, as amended to January 1, 2007, are met. (Reference- ARSD 24:05:20:18.)

State monitoring--Quantifiable indicators and priority areas.

The department shall monitor school districts using quantifiable indicators in each of the following priority areas, and using such qualitative indicators as are needed to adequately measure performance in those areas:

- (1) Provision of Free Appropriate Public Education (FAPE) in the least restrictive environment;
 - (2) Department exercise of general supervision, including child find, effective monitoring, the use of resolution meetings, mediation, and a system of transition services as defined in this article and article 24:14; and
 - (3) Disproportionate representation of racial and ethnic groups in special education and related services, to the extent the representation is the result of inappropriate identification. (Reference-ARSD 24:05:20:18:02.)
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State enforcement -- Determinations.

On an annual basis, based on local district performance data, information obtained through monitoring visits, and other information available, the department shall determine whether each school district meets the requirements and purposes of Part B of the IDEA...

Based upon the information obtained through monitoring visits, and any other public information made available, Special Education Programs of the Division of Educational Services and Support determines if the agency, institution, or organization responsible for carrying out special education programs in the state:

- Meets the requirements and purposes of Part B of the Act;
- Needs assistance in implementing the requirements of Part B of the Act'
- Needs intervention in implementing the requirements of Part B of the Act; or
- Needs substantial intervention in implementing the requirements of Part B of the Act. (Reference-ARSD 24:05:20:23.04.)

Deficiency correction procedures.

The department shall require local education agencies to correct deficiencies in program operations that are identified through monitoring as soon as possible, but not later than one year from written identification of the deficiency. The department shall order agencies to take corrective actions and to submit a plan for achieving and documenting full compliance. (Reference-ARSD 24:05:20:20.)

GENERAL SUPERVISION / STATE PERFORMANCE PLAN COMPLIANCE INDICATOR

ARSD 24:05:14:14. Participation in assessments. All children with disabilities shall be included in all general state and district-wide assessment programs, including assessments described in the ESEA, with appropriate accommodations and alternate assessments if necessary and as indicated in their respective IEPs. As appropriate, the department or local educational agencies shall develop guidelines for the provision of appropriate accommodations. (Indicator 3)

ARSD24:05:25:04. Evaluation procedures -- General. School districts shall ensure, at a minimum, that evaluation procedures include the following:

- (5) A variety of assessment tools and strategies are used to gather relevant functional, developmental, and academic information about the child, including
- information provided by the parents, that may assist in determining:
 - (a) Whether the child is a child with a disability; and
 - (b) The content of the child's IEP, including information related to enabling the child:
 - (i) To be involved in and progress in the general education curriculum; or
 - (ii) For a preschool child, to participate in appropriate activities;
 - (7) The child is assessed in all areas related to the suspected disability, including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities; and
 - (8) The evaluation is sufficiently comprehensive to identify all of the child's special education and related services needs, whether or not commonly linked to the disability category in which the child has been classified.

ARSD24:05:27:01.03. Content of individualized education program. Each student's individualized education program shall include:

- (1) A statement of the student's present levels of academic achievement and functional performance, including:

- (a) How the student's disability affects the student's involvement and progress in the general education curriculum
- (2) A statement of measurable annual goals, including academic and functional goals, designed to:
 - (a) Meet the student's needs that result from the student's disability to enable the student to be involved in and progress in the general education curriculum; and
 - (b) Meet each of the student's other educational needs that result from the student's disability
- (3) A statement of the special education and related services and supplementary aids and services, based on peer-reviewed research to the extent practicable,
 - to be provided to the student, or on behalf of the student, and a statement of the program modifications or supports for school personnel that will be provided to enable the student:
- (4) An explanation of the extent, if any, to which the student will not participate with nondisabled students in the regular class and in activities described in this section;
- (6) The projected date for the beginning of the services and modification described in this section and the anticipated frequency, location, and duration of those services and modifications;
- (7) A description of how the student's progress toward the annual goals described in this section will be measured and when periodic reports on the progress the student is making toward meeting the annual goals (such as through the use of quarterly or other periodic reports, concurrent with the issuance of report cards) will be provided;
- (8) Beginning not later than the first IEP to be in effect when the student turns 16, or younger if determined appropriate by the IEP team, and updated annually thereafter, the IEP shall include:
 - (a) Appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment, and, if appropriate, independent living skills; and
 - (b) The transition services (including courses of study) needed to assist the student in reaching those goals; and

ARSD 24:05:30:05. Content of notice. The notice must include the following:

- (1) A description of the action proposed or refused by the district, an explanation of why the district proposes or refuses to take the action, and a description of any other options the IEP team considered and the reasons why those options were rejected;
- (2) A description of each evaluation procedure, assessment, record, or report that the district uses as a basis for the proposal or refusal;

ARSD 24:05:25:12. Documentation of eligibility for specific learning disabilities. For a child suspected of having a specific learning disability, the documentation of the determination of eligibility shall contain a statement of:

- (1) Whether the child has a specific learning disability;
- (2) The basis for making the determination, including an assurance that the determination has been made in accordance with this section;
- (3) The relevant behavior, if any, noted during the observation of the child and the relationship of that behavior to the child's academic functioning;
- (4) The educationally relevant medical findings, if any;
- (5) Whether:

- (a) The child does not achieve adequately for the child's age or does not meet state-approved grade-level standards; and
- (b) The child does not make sufficient progress to meet age or state-approved grade-level standards; or the child exhibits a pattern of strengths and weaknesses in performance, achievement, or both, relative to age, state-approved grade level standards or intellectual development;
- (6) The determination of the group concerning the effects of a visual, hearing, or motor disability; cognitive disability; emotional disturbance; cultural factors, environmental or economic disadvantage; or limited English proficiency on the child's achievement level;
- (7) If the child has participated in a process that assesses the child's response to scientific, research-based intervention:
 - (a) The instructional strategies used and the student-centered data collected; and
 - (b) The documentation that the child's parents were notified about:
 - (i) The state's policies regarding the amount and nature of student performance data that would be collected and the general education services that would be provided;
 - (ii) Strategies for increasing the child's rate of learning; and
 - (iii) The parents' right to request an evaluation;
- (8) If using the discrepancy model, the group finds that the child has a severe discrepancy of 1.5 standard deviations between achievement and intellectual ability in one or more of the eligibility areas, the group shall consider regression to the mean in determining the discrepancy;

Corrective Action:

Prong 1: Correct each individual case of noncompliance

Timeline for Completion: () calendars day from the report date listed above.

Student:	Required Action:	Data To Be Submitted:
Student File # 2: This student was reported on 2011 child count under the category of 570. The 570 disability category was appropriate for this child until which time the child turned 6 years old during the course of his/her current IEP. The district did not reevaluate the student prior to the child turning 6 years old, which is required because the disability category of 570 includes only students who are 3 to 5 years old.	District must conduct a comprehensive reevaluation to determine continued eligibility and develop an IEP to meet the needs of the student, if the student qualifies.	1. Parental Prior Notice/ Consent for Evaluation 2. A copy of all reports, including skill based 3. A copy of the eligibility document 4. A copy of the Meeting Notice 5. A copy of the IEP 6. A copy of the Parental Prior Written Notice
Date Data Submitted:		
Status:		

Student:	Required Action:	Data To Be Submitted:
Student File # 3: This student was reported on child count under the category of 505. 1) The evaluation conducted for this student	District must conduct a comprehensive reevaluation to determine continued eligibility and develop an IEP to meet	1. Parental Prior Notice/ Consent for Evaluation 2. A copy of all reports, including skill

<p>was not sufficiently comprehensive. There were no skill based assessments or observations conducted to support the standardized test scores or the disability category of 505.</p> <ol style="list-style-type: none"> 2) There was no PN Consent for evaluation in the file. 3) There were no evaluation reports written which needed to be given to the parent 4) The IEP written for this student lacked content (PLAAFP, Special considerations, Description of Services and Justification for Placement) 	<p>the needs of the student, if the student qualifies.</p>	<p>based</p> <ol style="list-style-type: none"> 3. A copy of the eligibility document 4. A copy of the Meeting Notice 5. A copy of the IEP 6. A copy of the Parental Prior Written Notice
<p>Date Data Submitted:</p> <p>Status:</p>		

Student:	Required Action:	Data To Be Submitted:
<p>Student File # 4: This student was reported on child count under the category of 525.</p> <ol style="list-style-type: none"> 1) The evaluation conducted for this student was not sufficiently comprehensive. There were no skill based assessments or observations conducted to support the standardized test scores or the disability category of 525. 2) There was PN Consent for evaluation in the file, but there was no date of when the parent gave permission or when the district received the consent. There was no evidence within the PN Consent to Evaluate that parental input into the evaluation process occurred. 3) There were no evaluation reports written which needed to be given to the parent. 4) The eligibility document lacked content. 5) The IEP written for this student lacked 	<p>District must conduct a comprehensive reevaluation to determine continued eligibility and develop an IEP to meet the needs of the student, if the student qualifies</p>	<ol style="list-style-type: none"> 1. Parental Prior Notice/ Consent for Evaluation 2. A copy of all reports, including skill based 3. A copy of the eligibility document 4. A copy of the Meeting Notice 5. A copy of the IEP 6. A copy of the Parental Prior Written Notice

content (PLAAFP, Transition, Goals did not address all areas the student was eligible in, Modifications and Accommodations were not specific, Description of Services, Continuum of Placement and Justification for Placement).		
Date Data Submitted: Status:		

Student:	Required Action:	Data To Be Submitted:
Student File # 7: This student was reported on child count under the category of 525. Through file review for indicator 13, the team determined the IEP lacked transition Measurable Post-Secondary Goals in the area of employment and education/training, Course of Study and Transition Services. There was no evidence in the file the student was invited to his/her IEP meeting.	District must develop an IEP which addresses all areas of the IEP, including transition.	<ol style="list-style-type: none"> 1. A copy of the Meeting Notice 2. A copy of the IEP 3. A copy of the Parental Prior Written Notice
Date Data Submitted: Status:		

Student:	Required Action:	Data To Be Submitted:
Student File # 8: This student was reported on child count under the category of 555. Through file review for indicator 13, the team determined the IEP lacked transition Measurable Post-Secondary Goals in the area of employment and education/training. There was no evidence in the file the student was invited to his/her IEP meeting.	<p>Prior to meeting, the district needs to summarize the most current transition evaluation results into a report so as to assist the team in identifying the strengths and needs in this area. In doing so, it will assist the IEP team in developing a transition plan relevant to the student's needs and interests.</p> <p>District must amend the current IEP to address all areas of transition. Student must participate in the amendment of the IEP.</p>	<ol style="list-style-type: none"> 1. A copy of the amended IEP 2. A copy of the Parental Prior Written Notice 3. Evidence that student participated in the amendment of the IEP 4. A copy of the report summarizing transition.

Student:	Required Action:	Data To Be Submitted:
Student File # 3, 9 and 10:	The district cannot fix these files in the area of	The district will collect and submit to SEP the

Through review of student files, data gathered by the team indicated accommodations/modifications listed in the IEP for Statewide Assessment were not consistently provided during the assessment administration.	<p>accommodations/modifications.</p> <ol style="list-style-type: none"> 1. The district will review current policy/procedure to determine why discrepancies are occurring. 2. Develop a process that will allow for the appropriate documentation and provision of accommodations for state/district assessments. 3. Train IEP staff and testing coordinator in the procedures/process. 	<p>following data:</p> <ol style="list-style-type: none"> 1. Written description of the district's review process to identify why the discrepancies are occurring. 2. Written description of the process the district will implement to correct the discrepancies. 3. Training documentation to include the date staff training occurred, name of individual who provided the training and sign-in sheet with the names of all participants/position titles, who attended the training. <p>Timeline for Completion: March 15th, 2012</p>
<p>Date Data Submitted:</p> <p>Status:</p>		

<p><u>Prong 2: Correctly implement the specific regulatory requirements (i.e. achieved 100% compliance), based on the SEA's review of <u>updated data</u>.</u></p> <p>Required Action:</p> <p>The district must review and update its policy, procedure and practice regarding the following:</p> <ul style="list-style-type: none"> • Individuals responsible for the completion of prior notice/consent and evaluations needed for the purpose of determining eligibility. • Development of evaluation reports that must be provided to parents including administering and reporting skill based assessment. • Determining eligibility and completing the eligibility documents. • Developing an IEP that provides educational benefit, including all components of transition. • Ensuring accommodations/modifications listed in the IEP for Statewide Assessment will be provided during the assessment administration. <p>The district will receive technical assistance regarding these issues noted in this report.</p> <p>Data To Be Submitted: The district teacher will submit for one student of transition age:</p> <p>The district speech pathologist will submit for one student:</p> <ol style="list-style-type: none"> 1. The prior notice/consent for evaluation 2. Copies of <u>all</u> the evaluation reports including skill based assessment and transition (if needed) 3. The Notice for the meeting 4. Copy of the MDT/eligibility document and; 5. Copy of the IEP 6. A copy of the Parental Prior Written Notice 7. The training date, instructor and participants will be documented and submitted to the team leader to verify technical assistance was provided.

Target Date for Completion: October 3, 2013

Date Data Submitted:

Status Report:

State Performance Plan – Performance Indicators

Indicator 2 – Dropout Rate

Percent of youth with IEP's dropping out of high school.

State Target: 3.2%

District %: 2.11%

District Response: Students at Oelrichs School district have classes and open access to SD MyLife, after school programs, supporting and encouraging staff, highly qualified staff and differentiated instruction. District policies have been set by school board regarding expectations for graduation. Parent contact is logged.

Indicator 3 – Participation/Performance on Assessment

C-Proficiency rate for children with IEP's against grade level standards and alternate achievement standards.

Reading

State Target: 71%

District %: 22.24%

District Response: STAR testing and Dibels testing along with classroom scores are used to identify students and their specific areas of need on a quarterly basis. Direct instruction curriculum and techniques were implemented as of the 2012-13 school year. Students' progress in the classroom is monitored by staff on a weekly basis. Encouragement to accomplish more is a daily exercise. After school programs are available to help all education areas

C-Proficiency rate for children with IEP's against grade level standards and alternate achievement standards.

Math

State Target: 72%

District %: 19.64%

District Response: STAR testing and Dibels testing along with classroom scores are used to identify students and their specific areas of need on a quarterly basis. Direct instruction curriculum and techniques were implemented as of the 2012-13 school year. Students' progress in the classroom is monitored by staff on a weekly basis. Encouragement to accomplish more is a daily exercise. After school programs are available to help all education areas